

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re REFCO, INC. SECURITIES LITIGATION

GEORGE L. MILLER, Chapter 7 Trustee for the
Estate of Suffolk LLC,

Plaintiff,

-against-

ALLENE CHUNG
ANDRÉ PEROLD
CHRISTOPHER SUAN
CHRISTOPHER WELCH
CONNIE HSU
DAVID CODY
THE SUAN FAMILY IRREVOCABLE
CHILDREN'S TRUST
ROBERT HILL
RONALD FARMER
STEPHEN FREIDHEIM

07 MDL No. 1902 (JSR)

ECF FILED

ORAL ARGUMENT REQUESTED

09-cv-2866 (JSR)

09-cv-2872 (JSR)
09-cv-2874 (JSR)
09-cv-2882 (JSR)
09-cv-2883 (JSR)
09-cv-2884 (JSR)
09-cv-2887 (JSR)
09-cv-2888 (JSR)

09-cv-2930 (JSR)
09-cv-2933 (JSR)
09-cv-2935 (JSR)

Defendants.

**JOINDER IN LIMITED OBJECTION OF CREDIT SUISSE FIRST BOSTON NEXT
FUND, LAB MORGAN CORPORATION, AND ML IBK POSITIONS, INC. TO THE
REPORT AND RECOMMENDATION OF SPECIAL MASTER CAPRA ON THE
MOTION TO DISMISS THE AMENDED COMPLAINT**

Defendants Allene Chung, André Perold, Christopher Suan, Christopher Welch, Connie Hsu, David Cody, the Suan Family Irrevocable Children's Trust, Robert Hill, Ronald Farmer, and Stephen Freidheim (collectively "Defendants") hereby join in the limited objection filed by Credit Suisse First Boston Next Fund, Lab Morgan Corporation, and ML IBK Positions, Inc. (the "Bank Defendants"), dated September 7, 2010, to the Report and Recommendation of Special

Master Capra on the Bank Defendants' Motion to Dismiss the Amended Complaint (the "Limited Objection").

To avoid burdening the Court with duplicative briefing and to conserve attorneys' fees, Defendants herein fully adopt and incorporate the Bank Defendants' Limited Objection. The arguments contained within the Bank Defendants' Limited Objection are fully applicable to Plaintiff's claims against Defendants and apply with equal force.

For the reasons stated in the Limited Objection this Court should grant Defendants' Motions to Dismiss the Amended Complaint and dismiss Plaintiff's Amended Complaint in its entirety on all grounds and with prejudice.

Dated: New York, New York
September 7, 2010

Respectfully submitted,

MARKOWITZ & CHATTORAJ LLP

By: s/ Alon Markowitz
Alon Markowitz, Esq. (AM 0111)

10 E 40th Street
33rd Floor
New York, NY 10016
Tel: (212) 481-1220
Fax: (212) 481-1221
Email: amarkowitz@mclawllp.com
Attorneys for Defendants Allene Chung, André Perold, Christopher Suan, Christopher Welch, Connie Hsu, David Cody, the Suan Family Irrevocable Children's Trust, Robert Hill, Ronald Farmer, and Stephen Freidheim